

**TOWN COUNCIL
WORKSHOP MEETING
MAY 6, 2002**

The meeting was called to order at 6:13 p.m. Those present were Councilmembers Paul, Starkey, and Councilmember Truex. Also present was Town Clerk Muniz recording the meeting. Mayor Venis, Vice-Mayor Clark, Town Administrator Willi and Town Attorney Kiar were not present.

Conservation Easements

Planner Marcie Nolan explained the nature of the meeting and introduced consultant Craig Evans.

Craig Evans, President of the Florida Stewardship Foundation, made a presentation and spoke of several ways to encourage landowners to maintain their rural lands, including conservation easements, tax deferred land exchange, and stewardship credits. He spoke of rural and semi-rural areas and explained how the value of land was determined. Mr. Evans pointed out that land with wildlife was less desirable and less valuable than "clear" land. He spoke of incentives such as Landowner Equity and Transfer of Development Rights.

Mel Kaplan, 5721 SW 54 Court, voiced his doubts about property owners not trying to develop their properties simply because of the incentives mentioned by Mr. Evans. Mr. Evans spoke of the main reasons why landowners sought conservation easements on their properties and also spoke of the detrimental aspects of this type of arrangement. He referred to his handout which further explained conservation easements and also offered Internet sites where more information was available. Mr. Evans cautioned anyone considering conservation easements to thoroughly investigate before committing.

Julie Aitken, 3801 Flamingo Road, asked for clarification of "bundle of rights" and questioned if this was the same as purchase of development rights. She also asked how a qualified appraiser who was familiar with conservation easements could be found. Mr. Evans stated that the State, Broward County, and South Florida Water Management District all maintained lists of qualified appraisers. He clarified the public purpose criteria in the Transfer of Development Rights and explained that it did not necessarily mean the public had access.

Councilmember Paul asked if the "bundle of rights" included mineral and water rights. Mr. Evans stated that mineral rights did apply, but water rights did not.

Mr. Evans explained tax deferred land exchanges which was not common in Florida, but had many benefits including the omission of capital gains taxes and immediate cash for the property owner. He explained that land must be exchanged within the County and there was no minimum or maximum amount of land. Mr. Evans also explained the disadvantages, which included non-comparable lands and higher priced exchanges where additional funding was needed.

Val Solardi, 119 Acorn Drive, stated that he had 22 pristine acres in Davie and the infrastructure had already been developed. He asked if the appraiser would include the infrastructure in the figure determined. Mr. Evans indicated that the appraiser would include any improvements to the property in the appraisal value.

Ms. Aitken asked if the amount of money received was below market value, but above what it was purchased for, would there still be capital gains. Mr. Evans replied affirmatively.

Mr. Evans spoke about the Rural Lands Stewardship Program which was driven by private dollars rather than public dollars. He explained that five pilot projects were developed to test the concept and the Town did not meet the criteria, which included areas of 50,000 to

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250,000 acres that were completely rural. Mr. Evans added that this could be pursued as a local initiative to take existing land use plans and apply this concept accordingly.

Mr. Evans stated there were conservation easements and stewardship easements that worked in conjunction with each other and explained the process. He referred to a worksheet from Collier County and spoke of the differences of the current Collier County Land Use Plan and the Stewardship Overlay, which included increased wetlands, additional land, maintenance of agricultural properties, higher residential property values, and increased mixed-use properties.

Mr. Evans referred to the handouts and to the list of public conservation funding that was available to the Town. He stated that the Town could get approximately \$2 million per year from these sources. Mr. Evans also referred to bond issues that were passed for land preservation. Also, included in the handouts was an explanation of how sources could be pursued, adding that this was all due to the Farm Bill.

Ms. Aitken asked if individual landowners could get the program applications or if this was something the Town had to do. She also asked if the Town could partner with the County's bond issue to encourage more money being spent in the Town. Mr. Evans indicated that several local agencies such as the United States Department of Agriculture, Natural Resources Conservation Service, Florida Department of Agriculture and Consumer Services, and Broward Water Conservation Service, and the extension service of the University of Florida, were already involved with the Town and could provide the applications. He explained that essentially the programs were applied for individually and added that funding through the Farm Bill provided technical assistance funding. Mr. Evans indicated that the Town could become partners with landowners.

Councilmember Starkey spoke of the programs implemented for "land assemblage" by developers and asked how the Town should go about encouraging these programs to land owners before it was too late. Mr. Evans indicated that he was available to landowners to answer questions and that all possible resources should be made available for their review.

Ms. Aitken asked if an owner sold their development rights and received cash up front, did the cash come off the assessed value of the property and decrease the taxable value. Mr. Evans indicated that it would depend on how the land was currently designated.

Ms. Nolan indicated that Council authorized Mr. Evans to meet one-on-one with property owners so that specifics of their properties could be addressed.

Councilmember Paul thanked staff and Mr. Evans for the workshop. She indicated that she would like to see this tied into the zoning in progress.

There being no further business to discuss and no objections, the meeting was adjourned at 7:27 p.m.

Approved _____

Mayor/Councilmember

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Town Clerk